



April 29, 2016 (Doc. 55). Petitioner timely filed objections (Doc. 56) to the Recommendation.<sup>1</sup>

This court is required to "make a de novo determination of those portions of the [Magistrate Judge's] report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1). This court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the [M]agistrate [J]udge. . . . [O]r recommit the matter to the [M]agistrate [J]udge with instructions." Id.

This court has appropriately reviewed the portions of the Recommendation to which objections were made and has made a de novo determination which is in accord with the Magistrate Judge's Recommendation. This court therefore adopts the Recommendation.

**IT IS THEREFORE ORDERED** that the Magistrate Judge's Recommendation (Doc. 54) is **ADOPTED**. **IT IS FURTHER ORDERED** that Petitioner's Motion to Vacate, Set Aside, or Correct Sentence

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<sup>1</sup> At the conclusion of his objection, "Petitioner further request[ed] the court hold [a] hearing if necessary on the merits considering the return of 'all' property to the [P]etitioner seized by the United States Secret Service as an order of the court." (Doc. 56 at 12.) Post-conviction requests for return of property may proceed only as civil actions, subject to filing fee requirements, including the Prison Litigation Reform Act (codified in pertinent part at 28 U.S.C. § 1915(b)(1)). See United States v. Jones, 215 F.3d 467 (4th Cir. 2000).

(Doc. 43) is **DENIED** and that this action is dismissed with prejudice. A Judgment dismissing this action will be entered contemporaneously with this Order. Finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is not issued.

This the 28th day of June, 2016.

  
United States District Judge